



B Y - L A W S,

CONSTITUTIONS, ORDERS

A N D

R U L E S,

F O R T H E

Good Government of the Corporation

O F T H E

UNITED COMPANY OF MERCHANTS

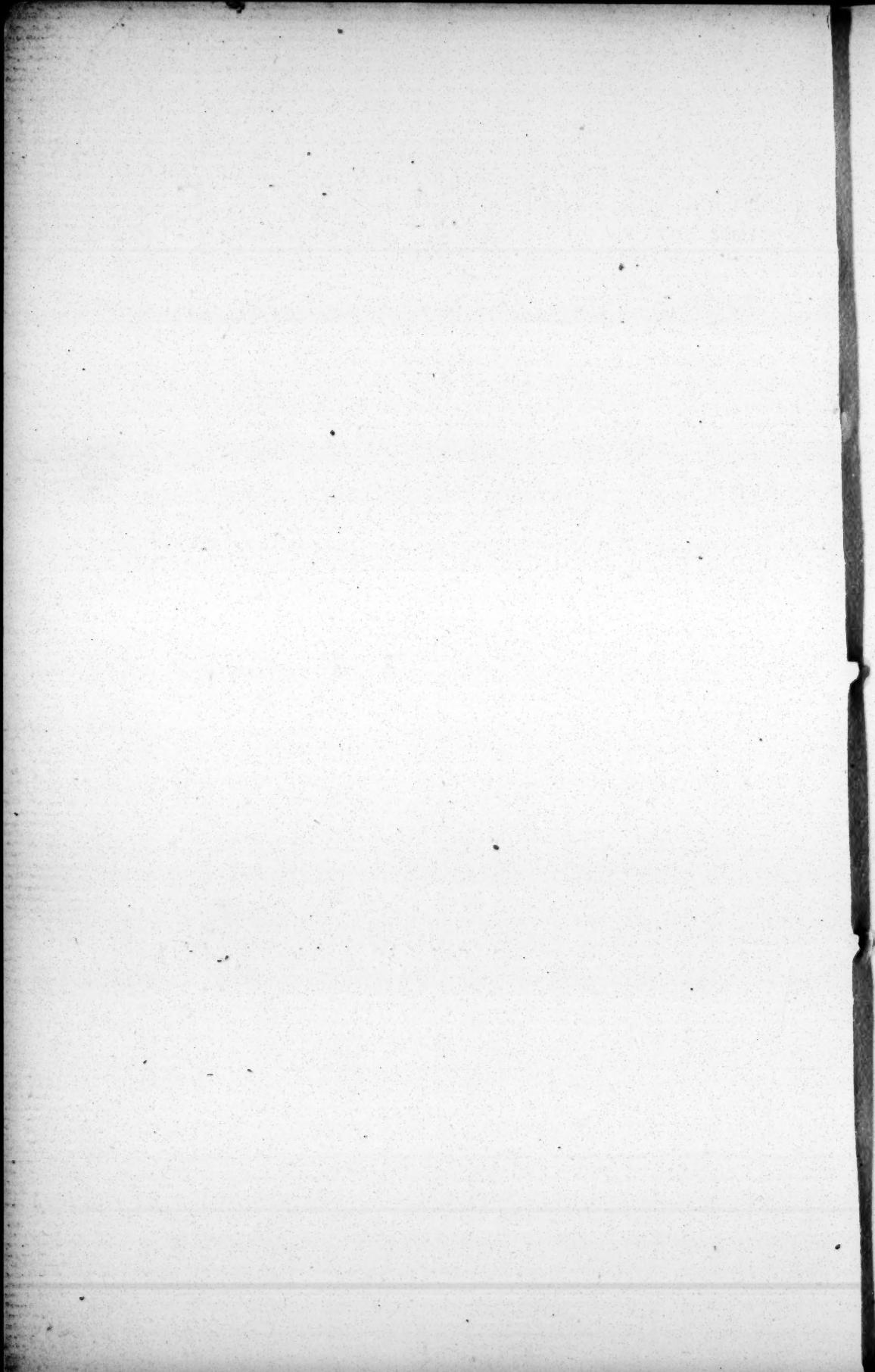
O F

ENGLAND TRADING TO THE EAST-INDIES,

A N D F O R T H E

BETTER CARRYING ON, AND MANAGING
THE TRADE OF THE SAID COMPANY.

Printed in the Year 1788.



B Y - L A W S, &c.

1st By-Law.

T is Ordained, That The Company's Seal to be kept under Three Locks,

I the Common Seal of this Corporation shall be kept under Three Locks, by such Three of the Directors, as the Court of Directors shall from Time to Time appoint; and that the said Seal shall not be set to any Writing, or Instrument, but by an Order of the Court of Directors first had, and that in the Presence of the said Three Directors, or any Two of them, and that the Court of Directors do cause a particular Register of all Bonds for

And

not to be put to any Writing but in the Presence of two Directors.

(4)

Money borrowed at Interest, and another Register for all other Bonds and Instruments of what Kind soever, that shall pass under the Company's Seal, to be entered, and kept under the Inspection of those that have the Custody of the Seal, who are hereby required to see, that the said Register Books be regularly kept up, and laid before the Court of Directors at the first Court in every Calendar Month, or oftener if they shall call for the same.

2d By-Law.

For every
Transfer 11s.
9d. to be paid.

Item, It is Ordained, That upon all Transfers to be made of any Interest in the Stock, or Fund, of this Corporation, Eleven Shillings and Nine-Pence

(5)

Pence shall be paid for each Transfer, by the Person transferring, for the Use of this Corporation, including the Stamp Duties of Seven Shillings and Nine-Pence.

3d By-Law.

Item, It is Ordained, That a Court of Directors shall be Summoned and Held once in every Week at the least.

A Court to be holden once a Week.

4th By-Law.

Item, It is Ordained, That an Account of the Money Received, and Paid, for the Annuity, be kept distinct from the Trade; and that the said Annuity be paid Half-yearly, to the Persons interested, *viz.* at *Midsummer* and *Christmas*, or so

The Money for the Annuity to be kept distinct for in the Trade, and paid Half-yearly.

(6)

so soon after as the same shall come in.

5th By-Law.

If a Director has any Dealings with the Company, he is to declare the same.

Item, It is hereby further Ordained, That in all Cafes whatsoever, where any Director, or any other Officer of this Company, shall have any Dealings, or Business, with this Company, upon their own Account separately, or in Conjunction with any other, for or in Respect of Buying for, or Selling to this Company any Bullion, or other Goods whatsoever, or in the making any other Bargain or Contract whatsoever, by, to, or with this Corporation, That then, in such Case, such Director or Officer, so having any Business with this Corporation, as aforesaid,

said, shall at the Time of his or their negotiating the same, or being present at such Negotiation, declare and publish to the Courtof Directors, whether he is directly, or indirectly, concerned in the Goods proposed to be Sold, or other Matters then negotiating, or in any other Matter, wherein he shall be directly or indirectly interested, or concerned : And if any Debate shall thereupon arise, the Person concerned having first been heard, shall afterwards withdraw during such Debate, and when the Question is put ; provided that nothing in this By-Law shall be understood to oblige any Director to declare, whether he is concerned in Goods bought by himself, or others for him, at any public Sale
by

Except as to
Goodsbought
at the Sale.

(8)

by the Company's Candle.
And it is also hereby Ordained,
That no Director shall give his
Vote, for any Lot of Goods
bought at the Company's Can-
dle, or for making any Allow-
ance for any Goods so bought,
wherein he is directly or in-
directly concerned : And if
any such Director, or other
Officer whatsoever, shall at any
Time wittingly or willingly
offend, contrary to this By-
Law, such Person or Persons
so offending, and being de-
clared guilty thereof by a Ge-
neral Court, shall immediately
become, and be deemed and
reputed incapable of holding
or enjoying, or being chosen
again into the Office of Direc-
tor, or any other Office of, or
belonging to, the said Com-
pany.

6th By-

(9)

6th By-Law.

Item, It is Ordained, That No Director
no Director shall take any Fee,
Present, or Reward, directly or
indirectly, upon any Account
whatsoever, relating to the Bu-
siness or Affairs of the Com-
pany.

7th By-Law.

Item, It is Ordained, That No Officer to
no Officer or Servant belong-
ing to this Company shall, di-
rectly or indirectly, take any
Fee, Reward, or Present, other
than such as shall be allowed
and established by the Court
of Directors, and contained in
a Table or Tables of Fees, to
be provided by them for that
Purpose, and exposed to pub-

B lick

(10)

No Officer to
be a Broker.

lick View: And that no Officer or Servant, being or taking upon him the Office of a Broker, shall be capable of continuing in the Service of this Company.

8th By-Law.

The Company's Money not to be laid out in Shipping, or invested in Stock, without the General Court's Consent.

Item, It is Ordained, That the Court of Directors shall not invest any of the Company's Money, or Effects whatsoever, in Shipping (except such small Ships as they may have Occasion to employ in the *East-Indies*,) or in the purchasing any Part or Share in the Capital or Additional Fund, or Stock of this Company, without the Consent of the General Court first had.

9th By-Law.

9th By-Law.

Item, It is Ordained, That No Ship to be taken up wherein a Director is Owner.

from and after *Michaelmas*, which shall be in the Year of our Lord, 1709, no Ship or Vessel shall be hired or freighted by the Court of Directors, wherein any Director is, directly or indirectly, concerned, or interested as an Owner, or a Part Owner: And all Ships to be hired by this Company shall be taken up, and their respective Voyages agreed in a Court of Directors, by the Ballot, and not otherwise: And the Court of Directors shall not accept the Tender of any Ship, but what shall be first made by the Commander, and Two of the Owners in Writing, where-

All Ships to be taken up and Voyages agreed to by the Ballot.

in shall be expressed the Names
of all the Owners.

10th By-Law.

All Goods
licensed, to be
view'd by the
Committee of
Shipping and
registered.

Item, It is Ordained, That
all Goods and Merchandizes
whatsoever, that shall hereafter
be Licensed to be sent in any
of the Company's Ships to the
East-Indies, by the Court of Di-
rectors for the Time being, or
by any Committee empowered
by them, shall be brought for
that Purpose to or near the
East-India-House, and be there
viewed by the Committee of
Shipping, in order to the Ton-
naging and Registering of such
Goods.

All Bullion
to be brought
to the Treas-
ury.

That all Bullion, which
shall be so Licensed, shall be
brought to the *Treasury-Office*,
and

(13)

and there viewed, weighed,
and packed up.

That before any Warrant,
or Order, shall be given for
Shipping such Goods, Mer-
chandizes or Bullion, the
Freight, and other Duties
chargeable thereon, shall be
first paid to the Company's
Treasurer, or Cashier, for the
Time being; for which he
shall give a Receipt, therein
mentioning the Sum, and for
what paid, which Receipt shall
be produced to the Committee,
or Officers who sign the said
Warrant or Order.

That the Company's Mark
shall be put upon all such
Goods, Merchandizes, and Bul-
lion, either by burning or deep
cutting in, if the Package will
bear it, or else by stamping,
before the same are removed
from

The Com-
pany's Mark
to be put on
all Goods.

And

from the Place of View ; with such further additional Marks or Numbers, as the Parties concerned, and the Committee of Shipping, or of the Treasury, shall direct.

A Register
kept thereof.

That a due Register shall be kept, in Books for that Purpose, of all the Goods, Merchandizes, and Bullion to be Licensed as aforesaid, together with the Quantity and Tonnage of the same ; and that the Husband at the Water-side, or his Assistant, do, from Time to Time, within Fourteen Days, after any Ship or Ships belonging to this Company are sailed from the *Downs*, transmit to the Court of Directors, an Account of all Goods and Merchandizes shipped on such Ship or Ships respectively, together with the Marks and Numbers, and

an Estimate

Quantity

**Quantity of the Tonnage of
the same.**

That all Goods, Merchandizes and Bullion, which shall be found on board any of the Company's Outward - bound Ships, not Licensed and Marked, or Stamped with the Company's Mark, shall be forfeited, according to the Directions of the Act of Parliament ; except only in such Cases, where the Court of Directors for the Time being shall think fit, on the Necessity of the Case, to dispense with the examining and marking of such Goods, and declare the same under the Hands of Thirteen or more of them.

Unlicensed
Goods to be
forfeited.

That Notice in Writing be given to the Commanders of all Ships, to be employed in the Company's Service, of this By-Law,

Notice there-
of to be given
to the Com-
manders.

(16)

By-Law, at the Time of Entertaining their Ships, to the End, they may forbid any Goods being taken on board their respective Ships, that are not Licensed and Marked, or have not a particular Order under the Hands of Thirteen or more of the Court of Directors, for the Time being, for their being shipped as aforesaid.

11th By-Law.

All Goods
brought
home not re-
gistered to be
forfeited.

Item, It is Ordained, That in all Charter-Parties for the future, there be inserted a Clause, whereby the Commander and Owners shall Lose and Forfeit to the Use of the Company, all their Goods brought Home in Private Trade, which shall not be duly Registered in *India*, at the

the Factory where such Goods shall be taken on board, and in case any of their Goods shall be taken on board, where the Company have no Factors, then to be Registered in the Supra-cargoes Book; and where there is no Supra-cargo, then to be Registered in the Commander's Book, and witnessed by the next superior Officer aboard: And that there be a proper Instrument prepared for the same Purpose, for the Officers and Ship's Company to sign to, at the Time of receiving their Imprest-Money: And that a Return of all such Registers be constantly made by the Factors, Supra-cargoes or Commander on each Ship, under their Hands respectively, and Duplicates thereof trans-

C mitted

mitted to the Company by some other Ship.

All Goods
in Private
Trade to be
lodged in the
Company's
Warehouses.

And that all Goods in Private Trade (prohibited Goods excepted) be immediately, after Landing, brought up from the Water-side, and lodged in a particular Warehouse, to be provided by the Court of Directors for that Purpose, and not housed in any Warehouse at the Water-side, on any Pretence whatsoever, unless otherwise Ordered by the Court of Directors.

12th By-Law.

If a Director
dies or goes
beyond Sea,
another to be
chosen.

Item, It is Ordained, That when any Director goes to reside beyond Sea, it shall make a Vacancy of his Directorship, and that whenever there shall be a Vacancy of the Place of a Director,

Director, by Death, Resignation, Incapacity, or otherwise, another shall be chosen in his Room, within a convenient Time after every such Vacancy, and that Ten Days publick Notice shall be given of the Day upon which such Choice shall be made.

13th By-Law.

Item, It is hereby Ordained, That no Commander, Owner, or Part-Owner, of any Ship freighted by the Court of Directors, shall sell any Office of Mate, Purser, Gunner, Boat-swain, or any inferior Office, or take any Fee or Reward whatsoever, directly or indirectly, for any of the said Offices or Employments, on board any Ship so freighted: And that upon Proof

No Com-
mander shall
sell any Of-
fice in his
Ship.

(20)

Proof made thereof to the Court of Directors, such Commander, Mate, Purser, Gunner, Boatswain, or other inferior Officer, shall be discharged the Service of this Company : And that any Owner, Part-Owner, or Commander of any Ship, freighted as aforesaid, who shall sell any such Office as aforesaid, upon Proof made thereof to the said Court of Directors, shall forfeit to this Company, for every such Offence, double the Sum for which any such Office shall be sold, to be deducted out of the Freight and Demorage to grow due for the said Ship : And that a proper Clause be inserted in all Charter-Parties for this Purpose.

14th By-

(21)

14th By-Law.

Item, It is Ordained, That it shall and may be lawful for the Court of Directors, to make such Allowance for Prompt Payment of Money called in for Trade, as they shall think fit; so as at least Ten Days publick Notice be given, What, and When any such Allowance is to be made.

Allowance to
be made for
Prompt Pay-
ment for Mo-
ney called in
for Trade.

15th By-Law.

Item, It is Ordained, That the Books containing the general Accounts of this Company in *England*, shall be balanced to the 30th Day of *June*, which shall be in the Year of our Lord, 1735, and so yearly, to every 30th Day of *June* following,

Books to be
balanced
yearly the
30th of June.

(22)

Indian Books
to be balanced
yearly and
sent home.

following, and the Balance drawn out within Three Calendar Months after every 30th Day of *June*; and likewise the Books of this Company's Affairs in *India* shall once every Year be balanced in every of the said Company's Factories, and Transcripts or Copies thereof, signed by the Chief and Council of each Factory, sent to *England*, by the first Conveyance following, under the Penalty of the Persons being dismissed from the Service of the Company, who shall refuse or neglect so to do.

16th By-Law.

All Receipts
and Payments
to be made in
course.

Item, It is Ordained, That all Receipts and Payments, ordered by the Court of Directors, shall be made in course, without

(23)

without any undue Preference: And every Officer acting otherwise shall be dismissed the Service of the Company.

17th By-Law.

Item, It is Ordained, That upon every Annual Election of Directors, at least seven Months publick Notice shall be given thereof, and that two Printed Lists of the Names of the Members, who appear qualified to Vote, be ready to be delivered, the first at least five Months, and the second at least fourteen Days before the Day of Election.

Concerning
Notice of
Elections,
and

delivering
Lists of
Members.

18th By-Law.

Item, It is Ordained, That no Note drawn by any Director, or other Person, or under his or

No Note to
be taken in
any Payment.

(24)

or their Hands, shall be taken in any Payment whatsoever to the Company.

19th By-Law.

No Member
to Trade
within the
Company's
Limits.

Item, It is Ordained, That every Person that is a Member of this Company, and shall directly or indirectly, under any Colour or Pretence whatsoever, Trade within the Limits of the Company's Charter, otherwise than in the Joint-Stock of the said Company, shall Forfeit and Lose to the Use of the said Company, the Value of such Money, Goods and Merchandizes, so traded for, over and above all other Penalties and Forfeitures appointed by Act of Parliament; and the Person offending herein shall be incapable of serving this Company, in

(25)

in any Office, or Place what-
soever.

20th By-Law.

Item, It is Ordained, That no Orders shall be sent by the Directors to, or obeyed by any of the Agents or Factors of this Company in *India*, or any other Parts, at or beyond the *Cape of Good Hope*, or at *St. Helena*, but such as shall be signed by Thirteen or more of the Directors for the Time being, except for Signals and Places of Rendezvous of Ships.

All Orders to
be signed by
13 or more
Directors,
except for
Signals, &c.
of Ships.

21st By-Law.

Item, In Order to avoid Mistakes or Confusions in Elections, It is Ordained,

D First,

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First, If it shall happen upon making the Scrutiny for Directors, any two or more Persons qualified shall have an equal Number of Votes, the Election, in such Case, shall be determined in the General Court, in which such Scrutiny shall be reported.

Secondly, And if on taking the Scrutiny, two or more Persons qualified for the same Office, have the same Christian and Surnames, and are not distinguished by their Additions; or that a wrong Christian Name in any List is placed to a Surname, when but one Person of that Surname is qualified, or that literal Mistakes be made in Christian or Surnames: In every of the said Cases, such undistinguished
wrong

wrong or mistaken Name or Names, shall be kept and not rejected, but the rest of the List shall be allowed: And the Persons appointed to take the Scrutiny may determine the Person or Persons intended by such undistinguished, wrong or mistaken Name or Names, provided the major Part of them, then present, shall agree in ascertaining the Person or Persons so intended: But in Default thereof, the same shall be determined by the General Court, in which such Scrutiny, shall be reported.

Thirdly, And that no List shall be received for any Election, after the Glass is finally sealed up, according to the Time prefixed, but such List shall be rejected.

Fourthly,

(28)

Fourthly, And if any Member shall use, or procure to be used, any indirect Means, by Menaces, Promises, or collusive Transfer or Transfers of Stock, or otherwise, to obtain any Vote for Election of himself, or any other, to be a Director, and be thereof declared guilty at a General Court, to be called for that Purpose, such Person shall for ever be incapable of being elected into any such Office.

Fifthly, And that in all Elections of Committees to be made by a General Court, the same Method (or so near as the Case will admit) be observed, under such Penalties as are before prescribed concerning the Election of Directors.

Sixthly,

Sixtly, And that the third, fourth, and fifth Clauses of this By-Law shall be inserted at the End of every printed List, that shall be given out, at or before the Annual Election, to the End, the Members of this Corporation may be directed in giving their Votes.

22d By-Law.

Item, It is Ordained, That the Cash of this Corporation, consisting in Ready Money, Exchequer Bills, or Bank Notes, shall, from Time to Time be kept under three several Locks, by such three of the Court of Directors, as the said Court shall from Time to Time appoint; except such Sums as the said Court shall think necessary to

Cash to be
kept under
three Locks.

(30)

to trust with their Cashier : and that the Cash of this Corporation in the *Bank of England*, shall be kept in such Method as the Court of Directors shall appoint : and that no Money, relating to the Trade, or Affairs of the said Company, shall be disposed of without an Order of the said Court of Directors : And that the Interest, and all other Advantages, arising and growing upon the Cash of the said Company, be brought to the Account of the said Company.

State thereof,
to be laid be-
fore the
Court week-
ly.

And that the Book, containing the State of the Cash, be laid before the Court of Directors once in every Week by the Cashier, and that he sign the same ; And that the said three
Di-

(31)

Directors, or any two of them, do once a Month, or oftener, examine the several Species whereof the Balance of the Cash consists, and certify the same under their Hands : And that the Accomptant, with the next Person under him, do, within fourteen Days after the End of every Month, examine all the particular Entries of Receipts and Payments of that Month, by the respective Vouchers, and likewise the Additions and Balance thereof, and certify under their Hands upon the Cash Book that they have so done, and how they find the same.

be examined
monthly by
the Directors.

Accomptant
to examine
and certify
Receipts and
Payments.

23d By-Law.

23d By-Law.

No Person to
ship Goods
but what
shall be first
licensed.

Item, It is Ordained, That the Court of Directors shall not permit any Person or Persons to export or import any Money, Goods, or Merchandizes, in any Ship belonging to, or freighted by this Company, other than such as shall be first licensed by the said Court of Directors, or such as shall be by them impowered to grant such Licence.

24th By-Law.

24th By-Law.

Item, It is Ordained, That all Questions (except for Adjournment) that shall be proposed in a General Court, shall, if required, be first stated in Writing by the Chairman, before the same shall be put; and that the Chairman, in a General Court, shall not adjourn or dissolve the Court, without a Question.

All Questions, except for Adjournment, to be stated in Writing.

General Court not to be adjourned without a Question.

25th By-Law.

Item, It is Ordained, That at the General Court to be held yearly in the Month of June a Committee of Seven shall be chosen, whereof Four to be a Quorum, who shall be, and they are hereby authorised and

A Committee of Seven to be chosen yearly in June.

E, im-

(34)

impowered to inspect the By-Laws, and to make Enquiry into the Observance and Execution of them, and to consider what Alterations and Additions may be proper to be made, and to report their Opinion, from Time to Time, to the General Court.

26th By Law.

A Chairman
and Deputy-
Chairman to
be chosen
yearly by the
Ballot, and
allowed £200
a Year each.

And each Di-
rector £150
a Year.

Item, It is Ordained, That at the first Court of Directors after every Annual Election, a Chairman and Deputy Chairman be chosen for the Year by the Ballot, and that each of them be allowed Two Hundred Pounds a Year; and every other Director be allowed One Hundred and Fifty Pounds a Year for his Attendance upon the Business of this Company.

27th By-

27th By-Law.

Item, It is hereby Ordained, That if at any General Court of this Company, any Nine of the Members present shall demand a Ballot for determining any Question proposed, such Question shall be put by the Ballot, and not otherwise.

Nine Members may demand a Ballot.

28th By-Law.

Item, It is Ordained, That the Court of Directors shall annually, in the Month of *Februay*, cause a General State of the Company's Affairs to be drawn out, and laid before them for their Observation.

Annual Account to be drawn out and laid before the Directors in Februay.

29th By-Law.

Previous
Questions, or
that of Ad-
journment,
may be de-
termined by
Division of
the General
Court.

Item, It is Ordained, That if any Doubt shall hereafter arise in the General Court, upon, or relating to any Declaration which shall be made from the Chair upon the Question for Adjournment, or the previous Question; such Question shall be determined by a Division of the Proprietors then present, provided a Motion be made for such Division and seconded, and that four Tellers be immediately appointed, two by the Chairman, and two by the Persons who have moved and seconded such Question.

30th By-

30th By-Law.

Item, It is Ordained, That no new Ship (except those now building) shall be built for the Service of this Company, until the Tonnage of all the Ships employed, or to be employed in the Trade of this Company, on Freight to and from the *East-Indies*, shall be reduced to 45000 Tons, Builders Measurement.

No new Ship
to be built till
Tonnage is
reduced to
45000 Tons,
Builders
Measure-
ment.

[Repealed 24th
Sept. 1788.]

31st By-Law.

Item, It is Ordained, That every Director shall have Liberty to inspect, and take Copies of such Accounts, Letters and Papers, relating to

Directors
may inspect
and copy all
Papers, ex-
cept those be-
fore the Se-
cret Com-
mittee.
the

(38)

the Company's Affairs, as he shall think fit, except such as are before the Secret Committee.

33d By-Law.

Powers of
the Commit-
tee of Secre-
sy.

Item, It is Ordained, That the proper Matters of Reference to the Committee of Secrefy, be the soliciting and settling with the Admiralty, in the Name of the Court of Directors, all Matters relative to the Convoys, for the outward and homeward bound Shipping.

33d By-Law.

No unlimited
Vote of Cre-
dit to be given
to the Com-
mittee of
Treasury.

Item, It is Ordained, That no unlimited Vote of Credit shall be given by the Court of Directors to the Committee of Treasury,

(39)

Treasury, on the Company's Account, and that the Quorum of the Committee of Treasury shall never consist of less than three Members.

34th By-Law.

Item, It is Ordained, That Committee's Reports to be signed and laid before the next Court.
the Report of every Committee be signed, and laid before the Court of Directors next following.

35th By-Law.

Item, It is Ordained, That Directors may enter Dissents on Court Minutes.
any Director who shall dissent from any Resolution of the Court of Directors, shall have the Liberty of entering his Dissent, with the Reasons thereof, on the Minutes of the said Court within Fourteen Days.

36th By-

35th By-Law.

No new Office to be created of more than £100 per Annum, without Proprietors Approbation.

Item, It is Ordained, That no new Office, either at Home or Abroad, shall be created by the Directors, with any Salary, exceeding the Sum of One Hundred Pounds *per Annum*, without the Approbation of the Court of Proprietors.

37th By-Law.

No Salary exceeding £100 per Annum, to be appointed to any Office, without Approval of two General Courts.

Item, It is Ordained, That no Salary, exceeding One Hundred Pounds *per Annum*, shall be appointed to any Office that shall be hereafter created, without the Approbation of Two General Courts, to be summoned for that Purpose.

38th By-

38th By-Law.

Item, It is Ordained, That a List shall be published Fourteen Days before the Annual Election of Directors, containing the Names of such Proprietors qualified agreeable to Law, as shall signify in Writing to the Secretary, their Desire of becoming Candidates for the Direction, Sixteen Days before such Annual Election.

List of Candidates for the Direction, to be published 14 Days before every Election.

39th By-Law.

Item, It is Ordained, That no Ship in the Company's Service shall be repaired for going more than four Voyages, except there shall be a Want of

No Ship to be repaired for going more than four Voyages.

F Ships

(42)

Ships for the outward-bound
Freight, and such Ships to be
sold in *India*.

40th By-Law.

After Ton-
nage is re-
duced to
45000 Tons,
Ships to be
employed in
Rotation.

[Repealed 24th
September,
1788.]

Item, It is Ordained, That
after the Quantity of Shipping
in the Company's Service shall
be reduced to 45000 Tons,
the Ship that has been first
worn out, or condemned, shall
be the first rebuilt and em-
ployed, and so in Rotation, the
Owners of each Ship tendering
the same on as low Terms as
any other.

41st By-Law.

After Ton-
nage is re-
duced to

Item, It is Ordained, That
if after the Quantity of Ship-
ping

ping in the Company's Service shall be reduced to 45000 Tons, a Ship shall be unavoidably either taken or lost, the Owners of such Ship shall have the preference of building a new one, without waiting her Turn in Rotation; but, in case of the Death of the Commander, on her fourth Voyage, then the Bottom to drop.

45000 Tons,
the Owners
of any Ship
unavoidably
lost, to have
the prefer-
ence of build-
ing a new
one.

[Repealed 23d
March, 1785.]

42d By-Law.

Item, It is Ordained, That the Committees of Buying, Shipping, and Warehouses, shall report to the Court of Directors, Ten Days before the Ships are taken up, the Quantity of Tonnage necessary for the Service of the current Year, and that the

Reports from
Committees
to be made
to the Court
of Directors
of Tonnage
wanted for
the current
Year.

F 2 Tonnage

(44)

Tonnage to be contracted for shall be proportioned to those Reports: Provided the Court of Directors shall have received the proper Indents, from their several Settlements in Time.

43d By-Law.

Warehouse-
keepers to
keep Ac-
counts of
Receipts,
Sales, and
Remains.

Item, It is Ordained, That the Company's Warehouse-keepers shall keep a regular Account of the receiving in, and Sale of each Species of Goods, and that an Account of the Quantities, and an Estimate of the Value of the Goods remaining in each Warehouse, shall be made up to every first of *March*, in such a Manner as to shew the same at one View.

44th By-

(45)

44th By-Law.

Item, It is Ordained, That there shall be kept, by the Clerk to the Committee of Shipping, a separate Account of all Goods contracted for, and delivered in that Department for Export, and of all Payments made thereon.

Clerk to
Committee of
Shipping to
keep Ac-
count of all
Exports in
that Depart-
ment.

45th By-Law.

Item, It is Ordained, That the Clerk to the Committee of Buying shall keep a similar Account, respecting the Goods contracted for in his Department.

Clerk to
Committee of
Buying to
keep a simi-
lar Account.

46th By-Law.

Item, It is Ordained, That there shall be kept in the Account of Freight and Demorage of Freight

(46)

each Ship, to be kept in Freight Office, a Book, containing a separate Account of the Freight and Demorage of each Ship, to be made out as soon as convenient, and debt-ing for Cash and other Dis-bursements, as the same shall be paid.

47th By-Law.

All Accounts
to pass the
Court of Di-
rectors quar-
terly.

Item, It is Ordained, That all Accounts shall be examined by the respective Committeees, and pass the Court of Directors quarterly, and that no Money shall be advanced to any Clerk or Warehouse-keeper after Quarter-Day, until his last Quarter's Accounts are passed.

48th By-Law.

Item, It is Ordained, That
no

no Motions shall in future be made in a General Court of this Company, to forgive any Offences committed by any of the Company's Servants, or to make any Grants of any Sums of Money out of the Company's Cash, without previous Notice of at least seven Days, being given in Writing, by the Persons who have any such Motions to propose.

No Motions
to be made
in General
Courts, to
forgive Of-
fenders, or
grant Mo-
ney, without
seven Days
Notice given
in Writing.

49th By-Law.

Item, It is Ordained, That whoever shall be in the Service of this Company, and shall be wittingly guilty of the Breach of any of the By-Laws of this Corporation, and shall be so adjudged by a General Court, he shall be incapable of any Employment in this Company.

Any Person
guilty of the
Breach of the
By-Laws
rendered in-
capable.

50th By-

50th By-Law.

Election for
six Directors;
Lists contain-
ing more than
six or less
than five
qualified
Persons, to
be rejected.

Item, It is Ordained, That in all Elections to be annually made of six Directors of this Company, for four Years, in pursuance of the Act of Parliament of the 13th Year of his Majesty King *George* the Third, intituled, “An Act for establishing certain Regulations for the better Management of the Affairs of the *East-India* Company, as well in *India* as in *Europe*,” each Proprietor voting, shall give in a List containing not more than six Names of Persons duly qualified to be Directors; and if any List shall contain the Names of more than six, or less than five Persons duly qualified, every such List, and all the Names therein con-

(49)

contained, shall be totally rejected.

51st By-Law.

Item, It is Ordained, That Unregistered Goods may be delivered; Tea not exceeding 10l. and other Goods not exceeding 100l. Value.
notwithstanding the 11th and 23d By-Laws, in case any small Quantities of Tea, not exceeding the Value of £10 prime Costs, or other Goods or Effects not exceeding the Value of £100 prime Costs, belonging to any one Person, shall be brought from *India* or *China* in any of the Company's Ships, without being duly licenced or registered, and it shall appear to the Satisfaction of the Court of Directors that there was no Intention of Smuggling such Goods or Effects, it shall be lawful for the said Court of Directors, at their Discretion, to pass and

G allow

(50)

allow such Goods or Effects, not exceeding such Value as aforesaid, to the Owners thereof, upon Payment of the Duties and Charges due to the Company for the same.

52d By-Law.

No Persons
to be admit-
ted to Gene-
ral Courts
unless possess-
ed of 500l.
Stock.

Item, It is Ordained, That no Person be admitted to be present at any General Court of this Company, who shall not at that Time be possessed of Five Hundred Pounds Stock.

53d By-Law.

Ships to be
built in turn
unless the
Bottom shall
drop by
Death of
Commanders
or otherwise.

Item, It is Ordained, That the Ship which hath been, or shall be First worn out or condemned, shall be the First rebuilt and employed, and so in Rotation, unless it shall appear

appear necessary, in the Opinion of the Court of Directors, to reduce the Quantity of Tonnage in the Company's Service, in which case, when a Commander shall happen to die, upon or after his Ship shall have performed a Fourth Voyage, and before Liberty given for rebuilding, the Bottom of such Ship shall drop.

[*Made the
17th June,
1788, and
confirmed the
24th Sept. fol-
lowing.]*

54th By-Law.

Item, It is Ordained, That if a Ship shall happen to be taken or lost on her First, Second, or Third Voyage, and such Capture or Loss shall, in the Judgment of the Court of Directors, appear to have been unavoidable, the Owners of such Ship shall have the Preference of build-

Ships taken
on the first,
second, or
third Voy-
age, Bottoms
to be first
built upon
if unavoida-
bly lost, &c.

[*Made the 17th
June, 1788,
and confirmed
the 24th Sept.
following.]*

(52)

ing a new Ship, without waiting for the Turn in Rotation.

55th By-Law.

Ships, none
to be built or
employed un-
der 800 Tons,
except for
home
Freights.

[Made the 17th
June, 1788,
and confirmed
the 24th Sept.
following.]

Item, It is Ordained, That no Ship shall hereafter be built for, or employed in the Company's Trade, to and from the *East-Indies* or *China*, of less Burthen than 800 Tons, Builders Measurement, except Ships casually hired for home Freights; Ships the Property of the Company, and Ships already built for the Company's Service, nor shall Ships, to be so employed, except as aforesaid, be built with Timber of smaller Scantling, or with any other Material of less Dimensions than those now used for Ships of 800 Tons, built with the Leave of

(53)

of the Company, and so in proportion for Ships of a larger Size.

56th By-Law.

Item, It is Ordained, That the Court of Directors shall give Leave for building each Ship in Time, to allow Eighteen Months from the Time of laying the Keel to the launching ; and, in such Leave, shall specify particularly the Dimensions, Scantlings, Thicknes of Planks and Number of Guns, provided, that previous to such Leave, the Owners shall consent to lett their respective Ships to the Company, upon each Voyage, at as low a Freight as any other Ship can be obtained by the Court of

Ships to be allowed 18 Months from the laying the Keel to launching, Scantlings, &c. to be specified.

[Made the 17th June, 1788, and confirmed the 14th Sept. following.]

of Directors, which have been or shall be constructed and fitted in the same Manner with the regular Ships of about 800 Tons and upwards, at this Time employed in the Company's Service.

57th By-Law.

New Ships
to be com-
manded by
Captains out
of Employ ;

or if no Cap-
tains out of
Employ,
then to Offi-
cers properly
qualified.

Item, It is Ordained, That if any new Ship or Ships shall be built, or taken up on Freight for the Use of the Company, the Command of such Ship or Ships shall be given to Captains out of Employ, from their Ships being worn out ; and if there shall be no Captain in that Predicament, then to Officers properly qualified for a Command under the established Regulations of the Service, such Per-

Persons respectively being found, on Enquiry, to have faithfully and honourably discharged their Duty, in their several Stations, and the Owners shall be restrained from removing any Commander after he shall have been regularly appointed and confirmed, without giving such Reasons for his Removal as shall be satisfactory to the Court of Directors.

Owners restrained from removing Commanders without giving satisfactory Reasons to the Court of Directors.

[Made the 17th June, 1788, and confirmed the 24th Sept. following.]

58th By-Law.

Item, It is Ordained, That none of the present By-Laws, or any other that shall hereafter be made, shall be altered, repealed, or suspended, without the Consent and

Ap-

No By-Laws to be altered without the Consent of Two General Courts.

(56)

Approbation of Two General Courts, to be called for that Purpose.

59th By-Law.

By-Laws to
be read the
First Court.

Item, It is Ordained, That these By-Laws shall be read in the First Court of Directors, and First General Court, after every annual Election.

The End.

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